United Nations E/C.12/2014/SR.18

Economic and Social Council

Distr.: General
16 May 2014

Original: English

Committee on Economic, Social and Cultural Rights

Fifty-second session

Summary record of the 18th meeting

Held at the Palais Wilson, Geneva, on Thursday, 8 May 2014, at 3 p.m.

Chairperson: Mr. Kedzia

Contents

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Second periodic report of China (continued)

Third periodic report of Hong Kong, China (continued)

Second periodic report of Macao, China (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Editing Section, room E.5108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.14-43338 (E) 150514 160514

1443338

Please recycle

The meeting was called to order at 3 p.m.

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Second periodic report of China (continued) (E/C.12/CHN/2; E/C.12/WG/CHN/Q/2 and Add.1-3; HRI/CORE/CHN/2010)

Third periodic report of Hong Kong, China (continued) (E/C.12/CHN-HKG/3; E/C.12/WG/CHN/Q/2 and Add.2; HRI/CORE/CHN-HKG/2013)

Second periodic report of Macao, China (continued) (E/C.12/CHN-MAC/2; E/C.12/WG/CHN/Q/2 and Add.3; HRI/CORE/CHN-MAC/2010)

1. *At the invitation of the Chairperson, the delegation of China took places at the Committee table.*

2. **Mr. Mancisidor** said that, while significant progress had been made regarding the provision of free primary education, the high cost of secondary and higher education made it difficult for the poor, and especially members of ethnic minorities, to access education at those levels. He therefore asked what measures the Government was taking to ensure the full implementation of article 13, paragraphs 2 (b) and (c), of the Covenant. He requested further information about the human rights education provided as part of compulsory education. He asked what was being done to ensure that all persons fully enjoyed freedom of expression, freedom of association and other freedoms necessary for them to take part in cultural life and enjoy the benefits of scientific progress and its applications. Noting the State party's status as a great scientific power, he asked how it would ensure that its scientific advances promoted the human rights of people in China and throughout the world.

3. **Mr. Abashidze** asked whether there had been any recent legislative innovations in China regarding territorial autonomy and self-determination. He also wished to know the Government's approach to the issue of cultural self-determination.

4. **Mr. Abdel-Moneim** requested further information about the protection of intellectual property rights in China.

5. **Mr. Schrijver** (Country Rapporteur) said that the resettlement of nomadic peoples must necessarily involve forcible evictions of minority communities from their ancestral lands, which could amount to an infringement of their land rights and their right to enjoy cultural life. He therefore asked whether the Government was considering a more minority-friendly development strategy for the west of the country that respected the rights of nomadic peoples.

6. **Mr. Chan** Hin Chi (Macao, China) said that the Committee's previous concluding observations (E/C.12/1/Add.107) had been distributed to government officials, law enforcement officers, judges, prosecutors and police officers in Macao and that relevant information was also available on government websites. Discussion seminars on economic, social and cultural rights had been held with the participation of visiting scholars from mainland China and other countries. School quiz competitions on the subject had also been organized, and school textbooks included information on the provisions of the Covenant. The Macao Government would make further efforts to spread information about the Covenant and the Committee's concluding observations.

7. He understood the Committee's concerns about the lack of an independent national human rights institution. Macao had established the Office for Personal Data Protection,

which had the authority to receive complaints and conduct independent investigations in cases involving the protection of personal data.

8. **Ms. Tai** Peng (Macao, China) said that, according to Macao laws and regulations, foreign workers should enjoy the same working conditions as local workers, including equal pay for work of equal value. They were also entitled to compensation for work-related illnesses or accidents. From 2009 to 2014, more than 6,000 complaints had been received from foreign workers on issues such as wages and overtime pay, most of which had been resolved satisfactorily. All employment contracts must meet government approval, and employers would be fined 5,000 Macao patacas if the conditions set out in the contract did not meet the established standards. Macao labour laws also set out standards for workers' accommodation and stipulated that employers must assist workers in returning to their country of origin at the end of their contract.

9. Foreign workers could contribute to a private pension fund while employed in Macao, and those contributions were exempt from income tax. As migrant workers from mainland China made up about 60 per cent of all foreign workers in Macao, the governments of Macao and Guangdong Province had signed a cooperation agreement on private pensions for migrant workers. Pregnant women were legally protected from unfair dismissal. New measures would be implemented to help newly arrived migrants integrate into the community.

10. **Mr. Chan** Hin Chi (Macao, China) said that, according to the Basic Law of the Macao Special Administrative Region, all Macao residents were equal before the law and free from any discrimination. Other laws also stipulated non-discrimination in specific areas, such as education.

11. **Ms. Li** Xiao (China) said that the Eighteenth National Congress of the Communist Party of China had adopted a series of measures to prevent and punish corruption. Those measures included increasing transparency, delegating the authority to fight corruption and spreading information through social media networks. In 2013 the courts had handed down more than 30,000 sentences for corruption, including in cases involving high-level officials such as Bo Xilai.

12. In 2004 a provision on the protection of human rights had been incorporated into the Constitution, and in 2012 a similar provision had been included in the Criminal Code. Indeed, the protection of human rights was reflected throughout all legal proceedings, and 4,000 judges had received training on respecting human rights in criminal proceedings. No criminal sanctions were imposed on the basis of an individual's political views. Human rights defenders who violated the Criminal Code were, however, punished for the crimes they had committed.

13. **Ms. Liu** Hua (China) said that in China the functions typically performed by national human rights institutions were shared by a number of government bodies and departments. A joint meeting mechanism for the National Human Rights Action Plan was responsible for implementing, supervising and evaluating the plan. In recent years, China had been making steady progress in its legal preparations for the ratification of the International Covenant on Civil and Political Rights. The National People's Congress had already amended a number of national laws to bring them into line with the Covenant so as to pave the way for its ratification.

14. China did not use the term "official development assistance", but it did follow a model of South-South cooperation with other developing countries that was based on the principles of mutual respect and mutual benefit, with an emphasis on practical results. Over the past 10 years it had donated 170 billion yuan renminbi (RMB) through such cooperation and had cancelled debts amounting to RMB 30 billion. More than 95 per cent of imports from poor countries were tariff-free. The projects carried out by Chinese enterprises abroad

were focused on infrastructure and agriculture and aimed to contribute to the local economy and benefit the local people. Those enterprises were instructed to strictly respect local labour laws. At the same time, the governments of the countries concerned should also protect the investors' interests, and China was working towards signing bilateral agreements to that effect. Guidelines had recently been established highlighting the social and environmental responsibilities of Chinese enterprises abroad. China would continue its cooperation with African countries in a long-term and sustainable manner.

15. **Ms. Li** Jian (China) said that as at the end of 2013 there had been 437,000 registered cases of HIV/AIDS, though it was difficult to know how many people were actually infected because many persons who were at high risk chose not to be tested. National law clearly stipulated that no one should suffer discrimination on the basis of their HIV status, and the fight against discrimination was a major component of the Government's AIDS policy. In Chinese law, marriage could be entered into only by two individuals of the opposite sex. The issue of gay marriage was very controversial, but the Government would closely follow developments in that area.

16. **Ms. Hu** Daohua (China) said that it was a State objective for women to fulfil their rightful role of "holding up half the sky", and that gender equality had been included in the party platform and policies set out at the Eighteenth National Congress of the Communist Party of China. The latest in a series of national programmes for women's development had been adopted in 2011, and a number of laws included provisions aimed at achieving gender equality. Disaggregated statistics on the development of women and children had been collected since 2004 and were published annually. National surveys on the situation of women in China were conducted periodically. Many mechanisms had been established at the municipal and provincial levels to assess the impact of gender equality measures, and the Government was considering creating such a mechanism at the national level.

17. Gender-sensitive budgeting was already taking place at the local level, and the central Government was considering drawing up a gender-sensitive national budget. Current quotas required that one woman be included in the leadership of local governments above the county level. As the number of leadership positions was rather small, that quota was already significant, and the Government aimed to increase it in the future. About 90 per cent of municipalities had included women cadres among their leaders, which represented a marked increase compared with figures from 2001.

18. **Mr. Ma** Hezu (China) said that Chinese labour law provided for the right to engage in collective bargaining. In 2011 trade unions had established eight elements that should be taken into consideration during collective bargaining, such as the cost of labour, the consumer price index and the average wage in the industry concerned. The company's profits were not a key factor in collective bargaining. In an effort to prevent workplace accidents, the central and provincial governments had established a goal of fully meeting all safety criteria by 2015. Specific safety targets had been set for a number of industries, and a hotline had been introduced for the reporting of industrial accidents.

19. Since February 2014, urban and rural pensions had been merged into a single benefit. The amount of the pension was commensurate with a worker's contributions. However, there was a mechanism to adjust pensions according to rising prices and local governments had the authority to adapt pensions to match changing local contexts. The Employment Promotion Act had been adopted in 2007 to spur job creation, especially for college graduates, strengthen services and improve vocational training in order to maintain stable employment and ensure that at least one person per household was employed. In fact, unemployment had remained relatively stable since 2011 and stood at approximately 4 per cent. The Eighteenth National People's Congress had identified universal, flexible and sustainable social security insurance coverage as one of its objectives. Urban and rural social security insurance would also be merged by the end of the Twelfth Five-Year Plan.

20. In 2013, 260 million rural workers had migrated to the cities and efforts were being made to guarantee them employment, ensure that they were duly remunerated and provide vocational training. Increasing numbers of them were joining the social security insurance scheme, the authorities actively promoted their right to housing and education and a reform of the *hukou* system was being considered to gradually resettle eligible rural workers in urban areas.

21. The right to strike was not recognized under the law because resorting to such radical measures to resolve labour issues was perceived to conflict with national values and the public interest. Therefore, peaceful means of dispute settlement were encouraged. For example, the Ministry of Human Resources and Social Security, in conjunction with trade unions, had set up an arbitration and mediation mechanism.

22. **Mr. Gu** Shengkai (China) said that human rights education, including on the Covenant, was part of the National Human Rights Action Plan and that a textbook on economic, social and cultural rights had been designed. Human rights were taught in primary and secondary schools and over 30 university law departments offered human rights law courses. Furthermore, considerable public awareness-raising efforts had been made pursuant to the United Nations Decade for Human Rights Education. A human rights centre had been established as part of the first National Human Rights Action Plan and five more had been opened subsequently. Those who wished to open such a centre could apply to the Ministry of Education for financial assistance.

23. Policymakers also made efforts to consider issues from a human rights perspective. In 2013, the Eighteenth National People's Congress had unveiled a number of policy and judicial reforms to which human rights experts had made significant contributions. The evaluation of the first National Human Rights Action Plan, which was available in paper and electronic format, had found that 90 per cent of the targets had been met, and the authorities were preparing for the midterm evaluation of the second Plan.

24. **Ms. Li** Jian (China) said that the Government worked in partnership with the 540,000 registered civil society organizations and guaranteed their ability to conduct their activities, which consisted mainly in the provision of social services.

25. **Mr. Guo** Haiming (China) said that a new form of rural collective medical care had been established in 2003 and much progress had been seen in the intervening decade. More than 800 million people had joined the scheme, which covered a number of major diseases, including child leukaemia, HIV/AIDS and heart disease.

26. **Mr. Sadi**, referring to the delegation's opening statement, requested further explanation of the relationship between the central Government and the Special Administrative Regions, especially with regard to implementing and reporting on the Covenant.

27. **Ms. Shin**, pointing out that not all the data provided by the State party was gender-disaggregated, suggested that the practice should be mainstreamed across all indicators. She asked whether sexual harassment in the workplace and in schools was a recognized problem and whether any measures were being adopted to address it. She wished to know what steps were being taken to reduce the gender pay gap. She urged the State party to take action to provide more affordable childcare.

28. **Ms. Bras Gomes** repeated her question about the adequacy of the basic pension. She asked whether any new programmes had been set up under the same precepts as the defunct re-education through labour regimen and whether any former detainees under that regimen had had access to justice. Pointing out that the reduced residency requirement for the Comprehensive Social Security Assistance programme in Hong Kong, remained a burden for many low-income individuals, she wished to know whether they benefited from any

special measures. She suggested that the mandate of the Equal Opportunities Commission in Hong Kong, should be reviewed and broadened. Drawing the delegation's attention to the Committee's general comment No. 20, she remarked that the lesbian, gay, bisexual, transgender and intersex community was entitled to all the rights enshrined in the Covenant.

29. **Mr. Schrijver** asked whether article 39 of the Basic Law guaranteed the rights enshrined in the Covenant, whether the Covenant had been directly incorporated into national legislation or whether its validity depended on the enactment of specific laws. He also asked whether union rights were restricted in the same way in the Special Administrative Regions as they were on the mainland. He expressed concern at the fact that migrant domestic workers had to leave Hong Kong, within two weeks of the termination of their work contract and enquired how the right to work of asylum seekers and refugees was upheld there.

The meeting was suspended at 4.40 p.m. and resumed at 4.50 p.m.

30. **Mr. Wu** Hailong (China) said that the basic laws of both Special Administrative Regions provided for a high degree of autonomy, including the authority to conduct judicial procedures. The central Government abided by the basic laws and respected the Regions' autonomous decision-making power.

31. **Ms. Hu** Daohua (China) said that the collection of disaggregated data, especially by gender, was a work in progress. Sexual harassment was prohibited in the workplace under a number of pieces of legislation and children were taught to recognize it. Incidents of harassment in school settings were handled on a case-by-case basis, perpetrators were harshly punished and assistance was provided to victims. China was a party to the International Labour Organization Equal Remuneration Convention, 1951 (No. 100), and most businesses observed the relevant provisions of labour and contract law, fixing salaries commensurately with job requirements irrespective of gender. Nevertheless, the Government intended to further strengthen provisions regarding equal pay for equal work.

32. The National Child Development Programme (2010–2020) included measures to expand State-run preschool establishments and encourage civil society to become involved in that sector. An action plan on preschool education, with a focus on rural areas and vulnerable children, had recently ended. Preschool enrolment had increased nearly 8 per cent in 2012.

33. **Mr. Ma** Hezu (China) said that, because pensioners were exempt from medical insurance fees, the basic pension was sufficient to cover their needs. Pensions would be adjusted so that they continued to be adequate over time.

34. **Ms. Li** Xiao (China) said that no similar programmes had replaced re-education through labour. Individuals were entitled to a lawyer throughout proceedings, including during interrogations, which were recorded as an additional precaution.

35. **Ms. Liu** Hua (China) said that China was a party to the Convention relating to the Status of Refugees and that some 300,000 refugees from the Indochinese peninsula had lived in the country since 1978.

36. **Mr. Chow** Wing-hang (Hong Kong, China) said that, in cases of genuine hardship, the Department of Social Welfare could exercise discretion and waive the one-year residency requirement for joining the comprehensive social security assistance programme, which had been done in 15,000 cases. Moreover, persons under the age of 18 were exempt from the residency requirement.

37. **Mr. Loh** Vernon (Hong Kong, China) said that the Court of Final Appeal had recently confirmed that the dualism principle applied and international treaties were thus

not directly applicable unless incorporated in domestic law. Hong Kong had not incorporated the Covenant by specific legislation but several articles of the Basic Law and other ordinances and programmes guaranteed Covenant rights. The Committee's concluding observations were taken into account in policy formulation.

38. Hong Kong's independent judiciary had determined that it had the power to review legislation and the Basic Law and to declare it unconstitutional if found to be inconsistent with the Covenant. Individuals had invoked the Covenant against measures they considered unlawful and in one recent case the courts had referred to the Committee's concluding observations, inter alia, in finding that the seven-year residence requirement for eligibility for social security was unconstitutional; the residence requirement had been lowered to one year.

39. **Ms. Wong** Pui-man (Hong Kong, China), said that, where an employer was unable to continue with a contract because of migration or death, or for financial reasons, or where there was evidence that the foreign domestic helper had been abused or exploited, the worker could apply for a change of employer in Hong Kong without having to return to his or her place of origin. Regarding work permits for refugees, she said that non-refoulement claimants were prohibited from employment in Hong Kong under the immigration rules. The Court of Final Appeal had found that such claimants had no constitutional right to work. However, the immigration authority had discretion to consider each case on its own merits; it could take account of strong compassionate or humanitarian reasons or other special circumstances in deciding whether to grant permission to take employment on an exceptional basis.

40. With regard to split families, she said that, according to the Basic Law, for entry into Hong Kong people from other parts of China must apply for a one-way permit from the mainland authorities in accordance with the laws and regulations of the mainland. Where there were special family difficulties that did not fall within the application criteria, Hong Kong had been referring cases back to the mainland authorities. The mainland authorities often took those circumstances into account and granted permits.

41. **Mr. Yu** Shukun (China) said that the Government's objective was to provide rented accommodation to low-income families and to keep the average waiting time down to about three years. It also wished to address middle-income families' aspiration to home ownership. The new total housing supply target for the next 10 years was 36 per cent above the target set in 2013 and the housing authority had expedited construction on all fronts.

42. A consultation had been held on the long-term housing strategy and a report submitted to the Government in February 2014. There had been consensus in the consultation over priorities in the quota points system and in addressing the needs of inadequately housed households through public rental housing.

43. There was a concern that rent-control measures might discourage landlords from renting out their properties, thereby reducing housing supply. That and similar effects might add to the burden of those with imminent housing needs. The Government would take full account of the consultation and other views in finalizing its long-term housing strategy.

44. **Mr. Chow** Wing-hang (Hong Kong, China) said that the Basic Law and legislation guaranteed the right to strike. Employment regulations prohibited summary dismissal for striking.

45. **Mr. Lau** Kong-wah (Hong Kong, China) said that an advisory group had been set up to study discrimination against sexual minorities with a view to devising strategies and measures on that issue.

46. **Ms. Tai** Peng (Macao, China) said that, under civil law and the regulations on the right of association, Macao residents had the right to form trade unions and the right to

strike. A bill on trade union rights had been rejected in 2014 on the grounds that there was no major conflict between management and labour. Further consultation was needed on the issues before the bill could be resubmitted.

47. The Government took an open and flexible view, and the Macao Special Administrative Region was committed to harmonious labour-management relations. A tripartite mechanism was in operation and arbitration was used to seek mutually acceptable solutions. Trade unions were often asked to assist in negotiations, with positive results.

48. **Mr. Wong** Kin Mou (Macao, China) said that human rights education in primary schools covered the right to survival, the right to education and press freedom, as well as the Universal Declaration of Human Rights. The next stage of the reform of the school curriculum would set out what secondary school students needed to know about human rights and equal treatment for all. They would need to know about the difference between rights and duties, the importance of press freedom and ethics, and civic responsibility and living in harmony with other cultures. In senior high school, students needed to understand justice and equality and the democratic development of the Special Autonomous Region, and to be concerned with human rights in the world and social justice.

49. **Ms. Li** Jian (China) said that the poverty alleviation strategy included an outline for rural poverty alleviation for 2012–2020. There was a specific policy; the mechanism for implementation was a steering committee under the State Council. Key areas of poverty alleviation had been identified, such as the gap between rural and urban areas, balanced development and poverty alleviation for persons with disabilities.

50. **Ms. Li** Xiao (China) said that there had recently been extreme cases of forced eviction, in which developers had violated the law. The law on property and the regulations on demolition and appropriation had been improved and, following interpretations by the Supreme People's Court, a series of compensation and relief measures had been put in place. Parties could apply to the courts to seek solutions.

51. **Ms. Hu** Daohua (China) said that legislative work in the area of domestic violence had begun. A bill had been sent to the Legal Affairs Office of the State Council, from where it would be put before the National People's Congress. At the practical level, 73 pilot courts had been set up to deal with domestic violence and 500 restraining orders had been issued.

52. **Mr. Guo** Haiming (China) said that sex selection through abortion was prohibited. After years of effort, the high ratio of boys to girls was declining.

53. **Ms. Li** Jian (China) said that China was a party to the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. Foreigners who qualified were permitted to adopt Chinese children. Whoever adopted, the best interests of the child were always taken into account.

54. **Mr. Gu** Shengkai (China) said that comprehensive work was being done on water resources and, taking account of the capacity of the water basin, a diversion of water from South to North had begun in 2011. Capacity in the North increased every month and currently stood at 11 billion m^3. Following a comprehensive review, measures were being taken to avoid ecological problems by replenishing water levels and protecting underground water. There were pilot schemes to restore the water table. Rules had been put in place in 2012 setting stricter standards for water and water use.

55. **Mr. Guo** Haiming (China) said that the Government was concerned about the health of residents in ethnic areas and rural regions. Health-care reforms had helped strengthen basic medical services in rural and remote areas, where historically poor medical care had now improved. As to medical insurance, he said that rural workers could join a cooperative system and there was a special insurance scheme for occupational disease.

56. **Mr. Gu** Shengkai (China) said that in such a large country the right to food was a priority task for the Government. China tried to be self-reliant in its food strategy and was making improvements to the agricultural infrastructure. As to food prices, the Government had a three-pronged approach, consisting in, firstly, increasing tillage areas, secondly, stepping up the role of science in food production and, thirdly, applying market mechanisms such as price controls on staples, stocking of food and providing subsidies to producers where the price was too low and to consumers if the price was too high.

57. **Ms. Li** Jian (China), referring to questions on housing security for low-income families, said that, in the past three years, more than RMB 10 billion had been spent on the Government's housing project. There were regulations on affordable housing and the new social relief measures addressed housing in particular. State rental subsidies were available, notably for rural dwellers.

58. **Ms. Liu** Hua (China), referring to the question of tax, said that fairness and justice were intrinsic to socialism and the Government was trying to close the wage gap and ensure that wages rose in tandem with the economy as a whole. As of 2012 the wage gap had started to narrow and the next step was to consider how to increase taxes in order to redistribute wealth.

59. **Ms. Zhang** Xue (China) said that the nine-year compulsory education system benefited all children, including those from ethnic minorities. Over 99 per cent of school-age children were in school. There were subsidies to help attendance, including for boarding-school pupils. In Tibet, RMB 25 million went to provide free board and tuition, benefiting 55 per cent of Tibetan students. A system of resource-sharing among the various government departments was in place and resources were diverted to parts of the country where they were needed for upgrading school buildings.

60. **Mr. Shen** Lin (China) said that all land in China belonged to the State, although it could also be owned by collectives. There was no exception for ethnic minorities. If land needed to be used it was for the good of the local people, who always welcomed such initiatives, and whose rights were always respected. If ethnic minorities did not agree then projects were not pushed through. In a recent example, a power plant cable had needed to be routed through a mountain; an ethnic minority had objected and the route of the cable had been changed.

61. Studies carried out as part of the policy on national equality had brought to light just how many minorities there were in China. The mechanism for identifying minorities was self-identification. Ethnic regions were autonomous, with local governments having extensive rights in the political, social and cultural spheres. Local government officials were all members of the region's ethnic minority, and they were able to take decisions on development programmes and finance. In education, they could follow the national curriculum or their own. More generally, 20 ethnic languages were used on radio and television and numerous hospitals used traditional medicine.

62. **Ms. de Sousa Ferreira** (Macao, China) said that, under the Penal Code, domestic violence could be considered an ordinary offence or a serious offence, depending on the circumstances. Severe injury to the victim, for example, would make it a serious offence. The courts could order coercive measures against defendants. Consultations starting in 2011 had raised public awareness of domestic violence and a bill had been proposed to help victims, using interdepartmental cooperation mechanisms to remove them from harm's way and counsel them on their rights. It was hoped that women would give their input and that the process would be completed by the end of 2014.

63. **Ms. Shin** asked whether health provision covered prisoners. She was thinking notably of human rights activists, one of whom had recently died in prison. She took note

of the number of hospitals that were being built, but she wondered what the State party was doing to address the shortage of doctors.

64. **Mr. Sadi** asked whether the State party could assure the Committee that the one-child policy would be abandoned at some point in the future.

65. **Mr. Marchán Romero** said that he would appreciate it if the State party could provide more details in its next report on how it intended to implement its human rights plan in respect of the Tibet Autonomous Region, and notably with regard to the free exercise of cultural rights and religious expression.

66. **Mr. Wu** Hailong (China) said that the State party would submit its replies to outstanding questions in writing at a later date. He thanked the Committee members for their hard work and their objective and constructive view of China's implementation of the Covenant. That was a reflection of their experience and legal expertise. His delegation would study the Committee's recommendations and turn helpful ideas into policy in light of China's specific conditions. The Covenant provided a principled framework for the progressive realization of economic, social and cultural rights in light of the specific conditions in a given State party, leaving ample policy space for implementation in countries with different levels of social development. China had always maintained that there was no universally applicable model of development and no fixed route to development. China had shown that a country could follow its own road to modernization. The protection of human rights was an important component of social and economic development and could only advance in line with the specific situation in a country and the people's will. The Chinese Government and people had charted a way for human rights development with Chinese socialist characteristics and provided effective protection to 1.3 billion people.

67. **Mr. Schrijver** said that he appreciated the delegation's open attitude and its acceptance that there was always room for improvement in human rights promotion and protection in China. He noted that it was the tenth anniversary of the inclusion of human rights in the Chinese Constitution and that the State party was implementing its second successive action plan. Step by step, China was seeking to close the gap between economic, social and cultural rights and civil and political rights.

68. He nevertheless wished to emphasize one particular point of concern as the dialogue drew to a close. The Committee had received all too many reports of restrictions on the work of human rights defenders and lawyers, and of retaliation against them. He wondered whether that was something that needed to be addressed at the government level.

69. In general he believed that the high quality and competence of the delegation showed that China was making progress. He was also grateful to Chinese civil society and NGOs for their input to the Committee's work.

The meeting rose at 6.05 p.m.